

EXHIBIT 5

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA,

Custody 09/04/2024

Bkg no. 6876805

vs.

DAVID JACOBS

DBA/AKA:

PC148(a)(1)

Plaintiff
04/17/1985

MISDEMEANOR COMPLAINT

Court Case No.: 24ADM04227

FILED

DAVID W. SLAYTON

Executive Officer/Clerk

FILED

Superior Court of California
County of Los Angeles

By Deputy Clerk

SEP 04 2024

Issued by David W. Slayton, Executive Officer/Clerk of Court
HYDEE FELDSTEIN SOTO
City Attorney By: P. Lewis, Deputy

JULIE SAN JUAN
Supervising Attorney

By: LINDSEY BLEY
Deputy City Attorney
(CW)

Defendant(s).

Comes now the undersigned and states' that he/she/they is/are informed and believe(s), and upon such information and belief declare(s):

COUNT I

That on or about 09/02/2024 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (a)(1) of Section 148 of the California Penal Code was committed by the above-named defendant(s) (whose true name(s) to affiant is(are) unknown), who at the time and place last aforesaid, did willfully and unlawfully resist, delay and obstruct a public officer, peace officer and an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797 of the California Health and Safety Code), to wit, OFFICER CONTRERAS, in the discharge and the attempt to discharge a duty of his or her office and employment.

MCI 148(A)(1)/21
UCC 11822

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COUNT II

For a further, separate and second cause of action being a different offense, belonging to the same class of crimes and offenses set forth in Count I hereof, affiant further alleges that on or about 09/02/2024 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (a)(1) of Section 148 of the California Penal Code was committed by the above-named defendant(s) (whose true name(s) to affiant is(are) unknown), who at the time and place last aforesaid, did willfully and unlawfully resist, delay and obstruct a public officer, peace officer and an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797 of the California Health and Safety Code), to wit, OFFICER BROWN, in the discharge and the attempt to discharge a duty of his or her office and employment.

MCI 148(A)(1)/21
UCC 11822

COUNT III

For a further, separate and third cause of action being a different offense, belonging to the same class of crimes and offenses set forth in Count I hereof, affiant further alleges that on or about 09/02/2024 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (c) of Section 240/241 of the California Penal Code was committed by the above-named defendant(s) (whose true name(s) to affiant is (are) unknown), who at the time and place last aforesaid, did willfully and unlawfully, having the present ability to do so, attempt to commit a violent injury on the person of, OFFICER CONTRERAS.

It is further alleged that the victim was a peace officer, firefighter, emergency medical technician, mobile intensive care paramedic, lifeguard, process server, traffic officer, code enforcement officer, and animal control officer engaged in the performance of his or her duties, and a physician and nurse engaged in rendering emergency medical care outside a hospital, clinic, and other health care facility, and the person committing the offense knew and reasonably should have known that the victim was a peace officer, firefighter, emergency medical technician, mobile intensive care paramedic, lifeguard, process server, traffic officer, code enforcement officer, and animal control officer engaged in the performance of his or her duties, and was a physician and nurse engaged in rendering emergency medical care.

TCIS 240/241(c)/21

COUNT IV

For a further, separate and fourth cause of action being a different offense, belonging to the same class of crimes and offenses set forth in Count I hereof, affiant further alleges that on or about 09/02/2024 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (c) of Section 240/241 of the California Penal Code was committed by the above-named defendant(s) (whose true name(s) to affiant is (are) unknown), who at the time and place last aforesaid, did willfully and unlawfully, having the present ability to do so, attempt to commit a violent injury on the person of, OFFICER BROWN.

It is further alleged that the victim was a peace officer, firefighter, emergency medical technician, mobile intensive care paramedic, lifeguard, process server, traffic officer, code enforcement officer, and animal control officer engaged in the performance of his or her duties, and a physician and nurse engaged in rendering emergency medical care outside a hospital, clinic, and other health care facility, and the person committing the offense knew and reasonably should have known that the victim was a peace officer, firefighter, emergency medical technician, mobile intensive care paramedic, lifeguard, process server, traffic officer, code enforcement officer, and animal control officer engaged in the performance of his or her duties, and was a physician and nurse engaged in rendering emergency medical care.

TCIS 240/241(c)/21

COUNT V

For a further, separate and fifth cause of action being a different offense, belonging to the same class of crimes and offenses set forth in Count I hereof, affiant further alleges that on or about 09/02/2024 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (g)(1) of Section 22810 of the California Penal Code was committed by the above-named defendant(s) (whose true name(s) to affiant is(are) unknown), who at the time and place last aforesaid, did unlawfully, and not in self defense, use tear gas and a tear gas weapon.

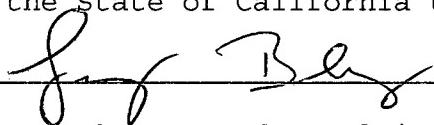
MCI 22810(G)(1)/21

UCC 13147

For a further, separate and sixth cause of action being a different offense, belonging to the same class of crimes and offenses set forth in Count I hereof, affiant further alleges that on or about 09/02/2024 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subsection (e) of Section 41.18 of the Los Angeles Municipal Code was committed by the above-named defendant(s), (whose true name(s) to affiant is(are) unknown), who at the time and place last aforesaid, did willfully and unlawfully sit, lie, sleep, and store, use, maintain, and place personal property, in and upon any street, sidewalk, and other public property within 500 feet of a School and Day Care Center as those terms are defined in Los Angeles Municipal Code Section 105.01.

All of which is contrary to the law and against the peace and dignity of the People of the State of California.

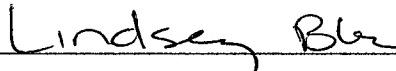
I declare under penalty of perjury, based on information and belief, under the laws of the State of California that the foregoing is true and correct.



9/4/24

Declarant and Complainant
[Signature of Reviewing Deputy City Attorney]

Date



[Print Name of Reviewing Deputy City Attorney]

INFORMAL DISCOVERY NOTICE

TO THE ABOVE-NAMED DEFENDANT(S) AND/OR ATTORNEY(S) FOR DEFENDANT(S) :

Plaintiff, the People of the State of California, hereby requests discovery/disclosure from the defendant(s) and his or her attorney(s) in this case pursuant to Penal Code Sections 1054.3 and 1054.5.

YOU ARE HEREBY NOTIFIED that if complete disclosure is not made within 15 days of this request, plaintiff will seek -- on or before the next court date, or as soon as practicable thereafter -- a court order enforcing the provisions of Penal Code Section 1054.3, subdivision (a). This is an ongoing request for any of the listed items which become known to the defendant(s) and his or her attorney(s) after the date of compliance.

The written statements and reports attached hereto constitute discoverable materials designated in Penal Code Section 1054.1. Any additional material discoverable pursuant to Penal Code Section 1054.1 that becomes known to plaintiff will be provided to the defense.

If, prior to or during trial, as a result of this request plaintiff obtains additional evidence or material subject to disclosure under a previous defense request or court order pursuant to Penal Code Section 1054.1, plaintiff will disclose the existence of that evidence or material within a reasonable time.

DISCOVERY MATERIALS SHOULD BE DELIVERED TO A DEPUTY CITY ATTORNEY IN MASTER CALENDAR COURT ON THE FIRST TRIAL DATE.

CCMS Case Number: 4AR01299